

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

BOSTON REDEVELOPMENT AUTHORITY

ORDER OF TAKING.

WHEREAS, the Boston Redevelopment Authority adopted and filed in the Suffolk County Registry of Deeds, Book 8072, page 276, and Order of Taking dated September 15, 1966, concerning and describing the SOUTH COVE URBAN RENEWAL AREA, all of the findings, determinations set forth therein being incorporated herein by reference and made a part hereof; and

WHEREAS, the Redevelopment Authority has deposited with the Mayor of the City of Boston security to his satisfaction for the payment of such damages as may be awarded in accordance with law to the owner or owners of said area, as required by General Laws.

NOW THEREFORE BE IT ORDERED that the Boston Redevelopment Authority, acting under the provisions of the Housing Authority Law and all other authority thereunto enabling, and pursuant to the applicable provisions of General Laws (Ter. Ed.) Chapter 79, and of any and every power and authority to it, granted or implied hereby takes for itself in fee simple by eminent domain for the purposes hereinbefore set forth or referred to, the area or areas located in the City of Boston as hereinafter described in ANNEX A together with any and all easements and rights appurtenant hereto, including the trees, buildings and other structures standing upon or affixed thereto, and including the fee, if any, in all public streets, highways and public ways in said area or areas or contiguous and adjacent to the property taken hereby, provided such fee is a part of said property, except any and all easements of travel in and to any and all public streets, highways

and public ways in said areas or contiguous and adjacent thereto.

AND FURTHER ORDERED that in accordance with the provisions of the General Laws, awards are made by the Boston Redevelopment Authority for damages sustained by the owner or owners and all other persons including all mortgagees of record having any and all interest in each parcel described in ANNEX A and entitled to any damages by reason of the taking hereby made. The Boston Redevelopment Authority reserves the right to amend the award at any time prior to the payment thereof by reason of a change in ownership or value of said property before the right to damages therefor has become vested or for other good cause shown. The Awards hereby made are set forth in ANNEX B which ANNEX B is not to be recorded in the Registry of Deeds with this Order of Taking.

AND FURTHER ORDERED that the Secretary of the Boston Redevelopment Authority cause this instrument of Taking to be recorded in the Office of the Suffolk County Registry of Deeds.

IN WITNESS WHEREOF, we, the following members of the Boston Redevelopment Authority have caused the corporate seal of the Authority to be hereto affixed and these presents to be signed in the name and behalf of the Boston Redevelopment Authority.

DATED: JUL 26 1973 BOSTON REDEVELOPMENT AUTHORITY

By:

Robert H. Tancill
James G. Colbert
Paul J. Burns
Joseph J. Walsh

ATTEST:

Kaus Purnian
Secretary of the Boston Redevelopment Authority

ANNEX A

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

TAKING AREA DESCRIPTION

The following are the only parcels to be taken:

<u>BRA Block/ Parcel</u>	<u>Address</u>	<u>Assessor's Parcel</u>	<u>Supposed Owner</u>
5-9	236-238 Tremont St. 64-76 Stuart St.	5665	The Shubert Organization Inc., Successor to 138 West 48th Street Theatre Co., Inc.
5-10	240-242 Tremont St., 33-35 Dore St.	5664	The Shubert Organization Inc., Successor to 138 West 48th Street Theatre Co., Inc.

The above parcels hereby taken are located in Ward 3 of the City of Boston.

The names of the owners herein listed as the Supposed Owner, although supposed to be correct, are such only as a matter of information, opinion and belief and are listed for informational purposes only.

ANNEX B

BOSTON REDEVELOPMENT AUTHORITY

SOUTH COVE URBAN RENEWAL AREA

AWARD OF DAMAGES

No Awards are to be made with this Order of Taking.